

MAY. 19. 2004 5:11PM

NIXON PEABODY

NO. 2653 P. 1

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**FAX**

To:	Company	Fax #:	Telephone #:
1) Examiner K. Weddington	PATENT AND TRADEMARK	703-872-9306	
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INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: Jerome W. Massie	Date: May 19, 2004	No. of Pages: 21 (including this page)	Appl. No: 09/926,807
<b>Comments:</b>  <p>Attached please find a copy of the Transmittal, Fee Transmittal, Extension of Time Petition, Amendment and PTO Form 1449 that was filed on April 19, 2004, as you requested. I look forward in hearing from you once you receive these documents.</p> <p>Please feel free to contact me if you have any questions.</p> <p>Jerome W. Massie Registration No. 48,118</p> <p style="text-align: right;"><b>RECEIVED</b> <b>CENTRAL FAX CENTER</b> <b>MAY 19 2004</b></p> <p style="text-align: right; font-size: 2em;"><b>OFFICIAL</b></p> <p style="text-align: center;">CERTIFICATE OF TRANSMISSION CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]</p> <p>I hereby certify that this correspondence is being:</p> <p><input type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop _____, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450</p> <p><input checked="" type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.</p> <p>May 19, 2004 Date</p> <p style="text-align: right;">_____ Signature Angelique M. Graham Typed or printed name</p>			

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From: Jerome W. Massie	Date: May 19, 2004	No. of Pages: 21 (including this page)	Client/Matter: 742439-3
User #: 2039	Ext: 8219	Disbursement Amount: \$	

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NIXON PEABODY

NO. 2653 P. 2

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

This will acknowledge receipt of the following:

1. Transmittal
2. Fee Transmittal (Permission to charge Deposit Account N . 19-2380 \$ 110.00)
3. Extension of Time Petition
4. Amendment
5. PTO Form 1449

In re Patent Application of:

Jacobus Johannes M. MEYER et al.

Serial No.: 09/926,807

Filed: 12/21/2001

Title: NAPHTHOQUINONE DERIVATIVES AND THEIR USE IN THE  
TREATMENT AND CONTROL OF TUBERCULOSIS

Due Date: 04/19/04

Docket No. 742439-3

DRS/JWM/amg

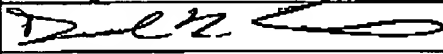
Date: April 19, 2004

**HAND CARRY**  
**PLEASE DATE STAMP AND RETURN**

*peg*

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/926,807
		Filing Date	December 21, 2001
		First Named Inventor	Jacobus Johannes M. MEYER et al.
		Group Art Unit	1614
		Examiner Name	K. Weddington
Total Number of Pages in This Submission		Attorney Docket Number	742439-3

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Declaration and Power of Attorney <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Application Data Sheet <input type="checkbox"/> Request for Corrected Filing Receipt with Enclosures <input type="checkbox"/> A self-addressed prepaid postcard for acknowledging receipt <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form 1449
Remarks	<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	<u>Donald R. Studebaker, Reg. No. 32,815</u> Nixon Peabody Suite 900 401 9 <sup>th</sup> Street, N.W. Washington D.C. 20004
Signature	
Date	April 19, 2004

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Date	Signature

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

<b>FEE TRANSMITTAL FOR FY 2004</b>  <i>Patent fees are subject to annual revision.</i>		<i>Complete if Known</i> Application Number    09/926,807 Filing Date            December 21, 2001 First Named Inventor    Jacobus Johannes M. MEYER et al. Examiner Name          Kevin E. Weddington Group Art Unit          1614 Attorney Docket No.    742439-3																																																																																																																																																		
<b>TOTAL AMOUNT OF PAYMENT</b> (\$) <b>110.00</b>																																																																																																																																																				
<b>METHOD OF PAYMENT</b> 1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  Deposit Account Number    19-2380  Deposit Account Name      Nixon Peabody LLP  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27  2. <input checked="" type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other		<b>FEE CALCULATION (continued)</b> <b>3. ADDITIONAL FEES</b> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Fee Code</th> <th style="text-align: left;">Large Entity Fee (\$)</th> <th style="text-align: left;">Small Entity Fee (\$)</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English transaction</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td>\$110.00</td></tr> <tr><td>116</td><td>420</td><td>216</td><td>210 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>950</td><td>217</td><td>475 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,480</td><td>218</td><td>740 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>2,010</td><td>228</td><td>1,005 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>330</td><td>219</td><td>165 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>330</td><td>220</td><td>165 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>290</td><td>221</td><td>145 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,330</td><td>241</td><td>665 Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,330</td><td>242</td><td>665 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>480</td><td>243</td><td>240 Design issue fee</td><td></td></tr> <tr><td>144</td><td>640</td><td>244</td><td>320 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CR 1.17(g)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Sheet</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>770</td><td>246</td><td>385 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>770</td><td>249</td><td>385 For each additional invention to be examined (37 CFR § 1.29(b))</td><td></td></tr> <tr><td>179</td><td>770</td><td>279</td><td>385 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table> Other fee (specify) _____  * Reduced by Basic Filing Fee Paid <b>SUBTOTAL (3)</b> (\$) <b>110.00</b>		Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath		127	50	227	25 Surcharge - late provisional filing fee or cover sheet		139	130	139	130 Non-English transaction		147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination		112	920*	112	920* Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840* Requesting publication of SIR after Examiner action		115	110	215	55 Extension for reply within first month	\$110.00	116	420	216	210 Extension for reply within second month		117	950	217	475 Extension for reply within third month		118	1,480	218	740 Extension for reply within fourth month		128	2,010	228	1,005 Extension for reply within fifth month		119	330	219	165 Notice of Appeal		120	330	220	165 Filing a brief in support of an appeal		121	290	221	145 Request for oral hearing		138	1,510	138	1,510 Petition to institute a public use proceeding		140	110	240	55 Petition to revive - unavoidable		141	1,330	241	665 Petition to revive - unintentional		142	1,330	242	665 Utility issue fee (or reissue)		143	480	243	240 Design issue fee		144	640	244	320 Plant issue fee		122	130	122	130 Petitions to the Commissioner		123	50	123	50 Processing fee under 37 CR 1.17(g)		126	180	126	180 Submission of Information Disclosure Sheet		581	40	581	40 Recording each patent assignment per property (times number of properties)		146	770	246	385 Filing a submission after final rejection (37 CFR § 1.129(a))		149	770	249	385 For each additional invention to be examined (37 CFR § 1.29(b))		179	770	279	385 Request for Continued Examination (RCE)		169	900	169	900 Request for expedited examination of a design application	
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<b>2. EXTRA CLAIM FEES</b> Total Claims    20** =    Extra Claims    X    Fee from below    =    Fee Paid Independent Claims    3** =    X    = Multiple Dependent    =  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code</th> <th style="text-align: left;">Large Entity Fee (\$)</th> <th style="text-align: left;">Small Entity Fee Code</th> <th style="text-align: left;">Small Entity Fee (\$)</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td><td></td></tr> <tr><td>102</td><td>86</td><td>202</td><td>43</td><td>Independent claims in excess of 3</td><td></td></tr> <tr><td>104</td><td>290</td><td>204</td><td>145</td><td>Multiple dependent claim, if not paid</td><td></td></tr> <tr><td>109</td><td>86</td><td>209</td><td>43</td><td>** Reissue independent claims over original patent</td><td></td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>** Reissue claims in excess of 20 and over original patent</td><td></td></tr> </tbody> </table> <b>SUBTOTAL (2)</b> (\$) <b>0</b>  **or number previously paid, if greater; For Reissues, see above		Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid	103	18	203	9	Claims in excess of 20		102	86	202	43	Independent claims in excess of 3		104	290	204	145	Multiple dependent claim, if not paid		109	86	209	43	** Reissue independent claims over original patent		110	18	210	9	** Reissue claims in excess of 20 and over original patent		<b>CERTIFICATE OF MAILING</b> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Washington, DC 20231, on.  Name: _____																																																																																																														
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<b>SUBMITTED BY</b> Name (Print/Type)    Donald R. Studebaker Signature <i>Donald R. Studebaker</i>		<b>Complete (if applicable)</b> Registration No.    32,815    Telephone    (202) 585-8234 (Attorney/Agent) Date                  April 19, 2004																																																																																																																																																		